

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
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SPECIAL CIVIL APPLICATION No 1470 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 to 5 No

GUJARAT PETROLEUM EMPLOYEES UNION

Versus

O N G C LTD.

Appearance:

MR TR MISHRA for Petitioner

Mr. Vyas for

M/S TRIVEDI & GUPTA for Respondents No.1 to 3

No one has appeared on behalf of remaining respondents despite service.

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 29/07/97

ORAL JUDGEMENT

Mr. Mishra has submitted that this matter may be decided in the same terms in which Special Civil Application No.4146 of 1997 has been decided on 30.6.97 by a coordinate Bench of this Court. Mr.Vyas, though objects on merits, submits that the matter may be decided in terms of the order dated 30.6.97 passed in Special

The workmen -employees, who are represented through the petitioner - Union in this case as per Annexure 'A' annexed with the petition, claim to be labourers engaged with the respondent - Corporation through Labour Contractors. These employees enlisted in Annexure 'A', as above, by filing this petition through the Union have prayed for a declaration that they may be deemed to be the regular employees of the respondent Corporation. The claim made by these employees is contested by learned counsel Mr. Vyas appearing for respondents Nos.1 to 3. He has submitted that a Reference being ITC No.11 of 1997 in respect of the similar claim made by certain other contract labourers is pending before the Industrial Tribunal, Ahmedabad.

In view of the fact that the Reference, as aforesaid, is pending before the Industrial Tribunal, Ahmedabad, it would be in the interest of justice that these employees are also impleaded in the said Reference as claimants. They may be impleaded as claimants in the aforesaid Reference being ITC No.11 of 1997 pending before the Industrial Tribunal, Ahmedabad. It is clarified that this order may not be treated as an admission as to the correctness or otherwise of the claim made by the employees through the petitioner Union or by the respondent - Corporation. Rule is made absolute accordingly with no order as to costs.